

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF KINGS

DAMON MONK and SHAAKIYRAH RAMKISSOON,

Plaintiff,

-against-

ALBERTO LUNA and LEASE PLAN USA LT,

Defendants.

Index No.:

Date Purchased:

Plaintiff designates  
KINGS County as the  
place of trial.

The basis of venue is  
the residence of the  
plaintiff, DAMON MONK  
who resides at:  
553 Kingsborough 5 Walk,  
Brooklyn, NY 11233

**SUMMONS**

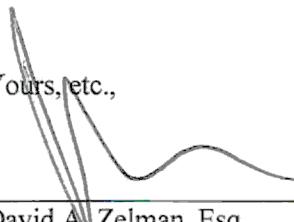
Date Filed: \_\_\_\_\_

X

To the above-named Defendant(s):

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on the Plaintiff's Attorney within twenty (20) days after service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated: Brooklyn, New York  
March 30, 2020

Yours, etc.,  
  
\_\_\_\_\_  
David A. Zelman, Esq.  
Law Office of David A. Zelman  
612 Eastern Parkway  
Brooklyn, New York 11225  
(718) 604-3072

Defendants' addresses:

ALBERTO LUNA  
1006 5<sup>th</sup> Street  
Fair Lawn, NJ 07410

LEASE PLAN USA LT  
1165 Sanctuary Pkwy  
Alpharetta GA 30009

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF KINGS

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DAMON MONK and SHAAKIRYAH RAMKISSOON,

Plaintiffs,

**VERIFIED COMPLAINT**

-against-

Index No.:

ALBERTO LUNA and LEASE PLAN USA LT,

Defendants.

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Plaintiffs, DAMON MONK and SHAAKIRYAH RAMKISSOON , by their attorney, LAW OFFICE OF DAVID A. ZELMAN, upon information and belief allege:

**PARTIES**

1. Plaintiff DAMON MONK was and is a resident of the County of Kings, State of New York.
2. Plaintiff SHAAKIRYAH RAMKISSOON was and is a resident of the County of Kings, State of New York.
3. Defendant ALBERTO LUNA was and is a resident of the State of New Jersey.
4. Defendant LEASE PLAN USA LT was and is a corporation with a principal address of 1165 Sanctuary Parkway, Alpharetta, GA 30009.

**AS FOR A FIRST CAUSE OF ACTION**

5. Plaintiffs, repeat, reiterate and reallege each and every allegation contained hereinabove in paragraphs 1 through 4, with the same force and effect as though more fully set forth herein at length.
6. On March 16, 2020, Defendant ALBERTO LUNA owned the vehicle with License Plate Number U57LXJ, near the intersection of Madison Avenue and East 101st Street, County of New York, State of New York.

7. On March 16, 2020, Defendant ALBERTO LUNA operated the vehicle with License Plate Number U57LXJ, near the intersection of Madison Avenue and East 101st Street, County of New York, State of New York.
8. On March 16, 2020, Defendant ALBERTO LUNA controlled the vehicle with License Plate Number U57LXJ, near the intersection of Madison Avenue and East 101st Street, County of New York, State of New York.
9. On March 16, 2020, Defendant ALBERTO LUNA maintained the vehicle with License Plate Number U57LXJ, near the intersection of Madison Avenue and East 101st Street, County of New York, State of New York.
10. On March 16, 2020, Defendant ALBERTO LUNA leased the vehicle with License Plate Number U57LXJ, near the intersection of Madison Avenue and East 101st Street, County of New York, State of New York.
11. On March 16, 2020, Defendant ALBERTO LUNA was the lessor of the vehicle with License Plate Number U57LXJ, near the intersection of Madison Avenue and East 101st Street, County of New York, State of New York.
12. On March 16, 2020, and at all times hereinafter mentioned, Plaintiff DAMON MONK was the driver of, and Plaintiff SHAAKIRYAH RAMKISsoon was a passenger in the vehicle with License Plate Number HPG9291.
13. On March 16, 2020, Defendant ALBERTO LUNA while driving vehicle License Plate Number U57LXJ, was involved in a motor vehicle collision with the vehicle with License Plate Number HPG9291.
14. That as a result thereof, Plaintiffs DAMON MONK and SHAAKIRYAH RAMKISsoon were injured.

15. That as a result thereof, Plaintiffs DAMON MONK and SHAAKIRYAH RAMKISSOON were seriously injured.
16. The aforesaid occurrence, collision and resulting injuries to Plaintiffs DAMON MONK and SHAAKIRYAH RAMKISSOON was due to the carelessness, recklessness and negligence of the Defendant ALBERTO LUNA in the ownership, operation, control, management and maintenance of said vehicle and without any fault or wrongdoing on the part of Plaintiffs contributing thereto.
17. That as a result of the foregoing, Plaintiffs DAMON MONK and SHAAKIRYAH RAMKISSOON have sustained a serious injury as defined in subdivision d of § 5102 of the Insurance Law, or economic loss greater than basic economic loss as defined in subdivision a of § 5102 of the Insurance Law.
18. Paragraph 6 of Section 1602 of the Civil Practice Laws and Rules applies to this action.
19. By reason of the foregoing, Plaintiffs DAMON MONK and SHAAKIRYAH RAMKISSOON were caused to be sick, sore, lame, and disabled, have been and will continue to be obligated to incur and expend large sums of money for their medical care and attention and have otherwise been damaged in a sum that exceeds the jurisdiction of all lower courts that would otherwise have jurisdiction.

AS AND FOR A SECOND CAUSE OF ACTION

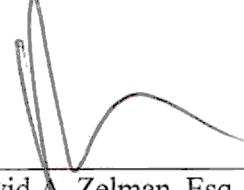
20. Plaintiffs, repeat, reiterate and reallege each and every allegation contained hereinabove in paragraphs 1 through 19, with the same force and effect as though more fully set forth herein at length.

21. On March 16, 2020, Defendant LEASE PLAN USA LT owned the vehicle with License Plate Number U57LXJ, near the intersection of Madison Avenue and East 101st Street, County of New York, State of New York.
22. On March 16, 2020, Defendant LEASE PLAN USA LT maintained the vehicle with License Plate Number U57LXJ, near the intersection of Madison Avenue and East 101st Street, County of New York, State of New York.
23. On March 16, 2020, Defendant ALBERTO LUNA leased the vehicle with License Plate Number U57LXJ, near the intersection of Madison Avenue and East 101st Street, County of New York, State of New York.
24. On March 16, 2020, Defendant ALBERTO LUNA was the lessor of the vehicle with License Plate Number U57LXJ, near the intersection of Madison Avenue and East 101st Street, County of New York, State of New York.
25. On March 16, 2020, and at all times hereinafter mentioned, Plaintiff DAMON MONK was the driver of, and Plaintiff SHAAKIRYAH RAMKISSOON was a passenger in the vehicle with License Plate Number HPG9291.
26. On March 16, 2020, Defendant ALBERTO LUNA while driving vehicle License Plate Number U57LXJ, was involved in a motor vehicle collision with the vehicle with License Plate Number HPG9291.
27. That as a result thereof, Plaintiffs DAMON MONK and SHAAKIRYAH RAMKISSOON were injured.
28. That as a result thereof, Plaintiffs DAMON MONK and SHAAKIRYAH RAMKISSOON were seriously injured.

29. The aforesaid occurrence, collision and resulting injuries to Plaintiffs DAMON MONK and SHAAKIRYAH RAMKISSOON was due to the carelessness, recklessness and negligence of the Defendant ALBERTO LUNA in the ownership, operation, control, management and maintenance of said vehicle and without any fault or wrongdoing on the part of Plaintiffs contributing thereto.
30. That as a result of the foregoing, Plaintiffs DAMON MONK and SHAAKIRYAH RAMKISSOON have sustained a serious injury as defined in subdivision d of § 5102 of the Insurance Law, or economic loss greater than basic economic loss as defined in subdivision a of § 5102 of the Insurance Law.
31. Paragraph 6 of Section 1602 of the Civil Practice Laws and Rules applies to this action.
32. That defendant LEASE PLAN USA LT is vicariously liable to plaintiffs by reason of its ownership, ownership interest, control and/or maintenance of the vehicle defendant ALBERTO LUNA was driving, license plate U57LXJ.
33. By reason of the foregoing, Plaintiffs DAMON MONK and SHAAKIRYAH RAMKISSOON were caused to be sick, sore, lame, and disabled, have been and will continue to be obligated to incur and expend large sums of money for their medical care and attention and have otherwise been damaged in a sum that exceeds the jurisdiction of all lower courts that would otherwise have jurisdiction.

WHEREFORE, Plaintiffs DAMON MONK and SHAAKIRYAH RAMKISSOON demand judgment against the Defendants in the First Cause of Action in sums which exceed the jurisdiction of all lower courts that would otherwise have jurisdiction, together with the costs, interests and disbursements of this action herein.

DATED: Brooklyn, New York  
March 30, 2020



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David A. Zelman, Esq.  
Law Office of David A. Zelman  
Attorneys for Plaintiff  
709 Eastern Parkway  
Brooklyn, NY 11213  
718-604-3072

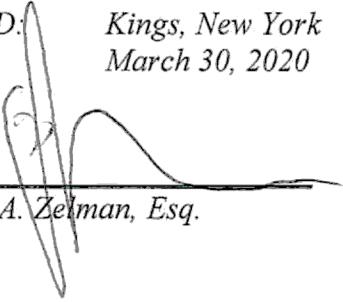
ATTORNEY VERIFICATION

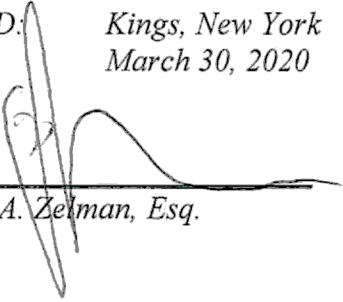
*David A. Zelman, Esq., an attorney at law, duly admitted to practice in the Courts of the State of New York, affirms under the penalties of perjury that:*

*He is the attorney for the plaintiff(s) in the above entitled action. That he has read the foregoing COMPLAINT and knows the contents thereof, and upon information and belief, deponent believes the matters alleged therein to be true.*

*The reason this Verification is made by deponent and not by the plaintiff(s) is that the plaintiff(s) herein reside(s) in a county other than the one in which the plaintiff's attorneys maintain their office.*

*The source of deponent's information and the grounds of his belief are communication, papers, reports and investigation contained in the file.*

DATED:   
Kings, New York  
March 30, 2020

  
\_\_\_\_\_  
David A. Zelman, Esq.